BUDGET 2006

Ministry of
Attorney General

Law Reform, Justice, Legal Services to Government
and
Minister Responsible for Multiculturalism

2006/07 – 2008/09
SERVICE PLAN

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Message from the Attorney General and Accountability Statement

An effective justice system is fundamental to democracy and is an essential part of the foundation required for a healthy, stable and prosperous society. Canada's justice system is among the finest in the world, and British Columbia constantly strives to ensure the justice system serves the public and the public interest.

I am pleased to present the Ministry of Attorney General Service Plan for 2006/07 - 2008/09. This service plan is based on the ministry's commitment to public safety and our role in the justice system. The plan reflects the escalating demands on the justice system and the need to safeguard its integrity, fairness and effectiveness within the resources available for public services. Accordingly, this service plan has a strong focus on law and justice reform, accessibility to the civil and family justice systems, and integration of the criminal justice system.

This plan also speaks to the importance of public confidence in the justice system, and to the pressing need to enhance public understanding of how the criminal, civil and family justice systems work. In collaboration with the Ministry of Public Safety and Solicitor General, other ministries and the broader justice sector, we are seeking new ways to address the chronic problem of repeat offenders who commit the majority of property crimes in the province.

Finally, as the Minister Responsible for Multiculturalism, I am advancing strategies to ensure that immigrants achieve their full potential in our culturally-diverse society and, together with all British Columbians, are able to help achieve government's Five Great Goals and the ultimate vision for a prosperous and just province.

The Ministry of Attorney General 2006/07 - 2008/09 Service Plan was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared. All material fiscal assumptions and policy decisions as of February 8, 2006, have been considered in preparing the plan, and I am accountable for achieving the specific objectives in the plan.

Honourable Wally Oppal
Attorney General
and Minister Responsible for Multiculturalism

February 8, 2006

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Ministry Overview

The Attorney General is the law officer of the Crown and has a unique role in government as the person who must see that the administration of public affairs is in accordance with the law. The Ministry of Attorney General fulfills that role and is responsible in government for law reform, the administration of justice and for providing legal services that ensure lawful public administration. The Ministry of Attorney General has the dual role of providing leadership to the justice sector and delivering justice services, either directly or through contracted providers. The Attorney General also has responsibility for multiculturalism.

This service plan builds on last year's plan which strengthened the ministry's strategic planning and introduced a new corporate framework that included law reform. This plan has a strong focus on law reform in the justice system, integration of the criminal justice system, accessibility to civil justice, and public confidence in the justice system. The strategies to support these themes will ensure that the justice system serves as a foundation for effective government and a lawful society.

The ministry will continue to evaluate and improve our existing justice system to achieve better outcomes for our citizens. This will be accomplished by being a leader in promoting improvement and enhancement of the system. It will require that the ministry continue to be a catalyst for change and will require ministry staff to engage everyone with an interest in the system, particularly the public. The ministry will strive for more consistent and coordinated direction and action among all sector participants, while respecting the independent role that many participants have in a fair and just legal system.

The ministry will endeavour to resolve the challenge of dealing with criminal justice cases with appropriate speed. Efforts will continue to simplify and streamline justice processes and increase the use of technology to maximize effectiveness of the system for citizens. Specific objectives are also introduced this year to increase understanding of the justice system.

This year the ministry will build on its performance measurement system. Public confidence is seen as a key indicator of an effective justice system and the ministry will develop and conduct surveys on public confidence in the justice system. These results will be compared to Statistics Canada data.

In carrying out its responsibilities for multiculturalism and immigration, the ministry will fund programs and services that support newcomers, including English language training and settlement services. The ministry will also provide funds to communities and organizations to promote multiculturalism and prevent racism.

Justice System: Vision, Mission, Culture and Values

Vision

A province governed by the rule of law with an effective justice system serving all British Columbians.

> ***The Rule of Law***
>
> ***The rule of law is a fundamental principle in a free and democratic society. It guarantees that law is supreme and that the exercise of public power requires a source in some legal rule. It shields individuals from arbitrary action.***

Mission

We are responsible in government for law reform, for the administration of justice, and for seeing that public affairs are administered in accordance with the law.

Culture and Values

We are dynamic and innovative leaders in justice and public administration with the following operating principles and values.

1. To be performance and service focused.
2. To honour members of the ministry and support them in their learning and development.
3. To act with professional integrity, independent from interference.
4. To be forthright and strategic.
5. To be collaborative and inclusive within the justice system and with the public that we serve.
6. To adhere to the core values of the British Columbia Public Service, namely integrity, accountability, responsibility, respect and fostering innovation in providing services.

INDEPENDENCE IN THE JUSTICE SYSTEM

A free and democratic society based on the rule of law requires a justice system where decisions are made independently and free from interference. Justice system participants must act according to law and policy without being improperly influenced from outside sources or other participants in the system. Perhaps the clearest expression of independence is the independence of judges, who must be free to adjudicate cases without interference. Similarly, other participants in the justice system, such as police and Crown counsel, must also make decisions free of interference or control by others. This independence ensures a fair system. It operates for the benefit of society and not for the participating components of the system.

Equally, the justice system must serve the public interest and be open to public scrutiny to ensure that it does indeed serve the public interest. Justice system components must work together, recognizing the interdependence of the system without compromising the core principle of independence.

Multiculturalism and Immigration: Vision, Mission, Culture and Values

Vision

Safe, sustainable and liveable communities where immigrants can realize their full potential, racism is eliminated and cultural diversity is valued and celebrated.

Mission

We are responsible in government to meet the settlement needs of immigrants and refugees, to promote multiculturalism and to eliminate racism.

Culture and Values

We are dynamic and innovative leaders in multiculturalism, immigration and public administration with the following operating principles and values.

1. To be performance and service focused.
2. To honour members of the ministry and support them in their learning and development.
3. To act with professional integrity, independent from interference.
4. To be forthright and strategic.
5. To be collaborative and inclusive with our service partners and with the public that we serve.
6. To adhere to the core values of the British Columbia Public Service, namely integrity, accountability, responsibility, respect and fostering innovation in providing services.

Strategic Context

In setting ministry direction and priorities for the next three years, the planning process takes into account the strengths, opportunities and challenges that could influence intended outcomes, including risk identification and mitigation. This section describes key factors that have been considered in constructing the 2006/07 - 2008/09 Service Plan.

Strengths and Opportunities

- The ministry has a highly professional, knowledgeable and dedicated staff. The commitment, resiliency and innovativeness of its staff contribute to the ministry's position as a leader in law and justice reform.
- The ministry's problem solving culture, where innovation and collaboration are highly valued, has led to a willingness to embrace change and seek opportunities for improvement and to respond to external challenges.
- The ministry has strong working relationships and employs a collaborative approach with key stakeholders and colleagues within the justice system and in government. Trust, credibility and collaboration among justice system participants are essential in order to move forward with ministry goals including the law and justice reform agenda.
- British Columbia is a favoured destination for immigrants and temporary residents, including international students. Social and economic benefits from immigration and cultural diversity are realized throughout the province. Strong partnerships with local governments, the federal government, communities, and with agencies that serve immigrants strengthen the ability of all partners to support multiculturalism and anti-racism and immigrant settlement initiatives.
- British Columbia has the highest percentage per capita of visible minorities in Canada. The province's linguistic and cultural diversity forms a strong foundation from which to build a model of inclusivity for the world to experience during the 2010 Olympic and Paralympic Winter Games.

Challenges and Risks

- There is a continuing and growing public demand for greater public safety, including taking stronger action against property and violent crime.
- Increased policing has an impact on the rest of the justice system and affects the allocation of resources for other justice system initiatives.
- Rapid globalization and technological development affect the context in which government operates and are also changing the nature of crime. Technology assists the expansion of crime across national and international borders. Cyber and commercial

crime is becoming a greater problem. Canada is among the top several countries targeted by international and organized crime networks; and British Columbia, by virtue of the size and location of its main port city, offers mobility and anonymity for some newer types of serious crime such as human trafficking.

- Criminal prosecutions, especially of organized crime cases, are becoming increasingly complex. They require analysis of large volumes of documents and technical evidence, greater use of expert witnesses and careful focusing of resources. As cases continue to grow in complexity, prosecution and court costs continue to increase.
- An increase in the number of large, complex cases for which publicly-funded legal representation is sought challenges the ministry's ability to operate within budget.
- Civil litigation is becoming more complex and costly. An increasing number of civil cases involve novel issues of law and procedure, substantial amounts of evidence, utilization of technology, greater use of expert witnesses and multiple parties. Government is also affected when it is a party in complex civil litigation.
- The increasing cost and procedural complexity of civil litigation is inhibiting public access to the courts. If simple and affordable dispute resolution options are not available to the public, the credibility of the justice system will be eroded.
- An increasing number of married and common-law families are undergoing separation and/or divorce, placing a greater demand on family justice resources.
- Legal decisions on Charter of Rights and Freedoms issues could place additional obligations on the ministry and government.
- The ministry is only one of many participants in the justice system and does not, and should not, have full control or authority. Participants must act and make decisions independently and free from interference.
- Changing trends in country of origin have greatly increased the need for more English language training and settlement and adaptation services.
- Recently arrived immigrants in B.C. are experiencing lower rates of employment, lower initial earnings and a higher incidence of poverty than previous immigrant arrivals. There has also been a decline in official language ability in immigrants upon arrival, from 60 percent in 1999 to 50 percent in 2003.
- Incidents of racism and hate activity persist at the community level on an intermittent basis. The nature of these incidents creates pressures on the provincial government to demonstrate leadership in promoting multiculturalism and preventing racism.

Core Business Areas

Court Services

Court Services provides the infrastructure and administration through which many justice system processes flow. Using technology, Court Services also develops innovations to streamline and modernize court processes. These innovations enable Court Services to meet the ministry goal of law reform and innovative justice procedures while improving the effectiveness of the criminal, civil and family justice systems. Court Services develops processes that will foster increased public access, understanding and confidence while improving safety and security for court participants and the public as a whole. Court Services also works with federal, municipal and aboriginal governments to develop modern and effective services that meet participants' needs in the most appropriate manner.

The Court Services Branch delivers all administration services to the courts presided over by the independent judiciary at three separate levels: the British Columbia Court of Appeal, the British Columbia Supreme Court and the Provincial Court of British Columbia. Court Services must function in a manner that supports the requirement for independent decision-making among participants in the justice system.

The branch provides services to other justice system participants as follows:

- **Judiciary:** The judiciary direct the scheduling of all court appearances and all judicial sittings. Court Services supports these court events by providing administrative services, personnel, case documentation and trial support, document production, management of jury selection, interpreter services, prisoner appearances and courtroom and courthouse security. Court Services develops supporting operational policies and procedures in consultation with the judiciary and stakeholders.
- **Counsel:** Court Services informs counsel of operational changes affecting court processes. Court Services also provides support through the standardization of documents such as reports, forms and requests. All are accessible to counsel on the internet.
- **Police and Corrections Authorities:** Court Services works with these authorities to provide efficient and secure handling of persons in custody and in the development of case tracking and business reform initiatives.

Legal Services

As set out under the *Attorney General Act*, Legal Services helps fulfill the Attorney General's role in government. Legal Services Branch is central to the ministry's role in seeing that public affairs are administered in accordance with the law and that legal risks associated with government operations are minimized. In keeping with the ministry's objectives of high

quality cost-effective legal services to government and the proactive management of legal risks, Legal Services works to provide the most cost effective legal services to government, and to recognize and anticipate potential litigious issues that may create legal risk.

Through the Legal Services Branch, the ministry provides a range of legal services to government, including advice to ministries and Cabinet, legislative drafting and representing the government in court and before administrative tribunals.

Branch clients are government ministries, the Attorney General, Cabinet, Crown corporations and public agencies. All legal services to government on civil law matters are delivered directly or through ad hoc arrangements whereby the ministry supervises retainers or contracts with outside counsel.

The Legal Services Branch is one of two government legal service providers in Canada[1] with an annual service level agreement with client ministries through which ministries fund a substantial portion of the costs of legal services. These comprehensive agreements set out financial commitments and service commitments.

Prosecution Services

Prosecution Services undertakes the Attorney General's independent role of law officer of the Crown to assess and conduct prosecutions and appeals of offences under the *Criminal Code of Canada*, the *Youth Criminal Justice Act* and provincial statutes. This role is central in a democracy governed by the rule of law and critical to the ministry goal of an effective criminal justice system. Prosecution services that are effective also contribute to public safety and confidence in the administration of criminal justice within the province.

Prosecutorial functions and responsibilities of the Attorney General are carried out by the Criminal Justice Branch and are governed by the *Crown Counsel Act*. These responsibilities must be carried out objectively and fairly, without improper influence or interference from any source. Crown counsel make their prosecutorial decisions independently of the many other participants in the justice process such as the police, witnesses, and the judiciary.

By using a charge approval process, Crown counsel ensure that cases which go to court are sufficiently supported by the anticipated admissible evidence, and that prosecutions are pursued only if they are in the public interest.

Through internal reform projects and leadership positions in national and international justice organizations, the Criminal Justice Branch fosters a culture of justice reform that can benefit all participants in the criminal justice process.

[1] The other provider is the Province of Manitoba.

Justice Services

Justice Services leads the ministry's responsibilities in civil and family law reform, administrative justice reform and justice services. Justice Services works with justice system stakeholders such as the courts, the bar, other ministries and justice associations to develop innovations that will improve public access to justice services. In doing so, it supports the ministry's reform agenda and goals for effective criminal, civil and family justice systems.

The Justice Services Branch develops and implements dispute resolution alternatives to court, enforces registered maintenance orders and agreements, and manages the provincial funding of legal aid in consultation with the Legal Services Society. A full range of innovative dispute resolution options allows parties in conflict to be actively engaged in creating enduring agreements designed to meet their needs. Examples of alternatives that increase access by offering choices to individuals and families in conflict include:

- **Parenting After Separation** helps parents make informed choices about separation and the best interests of their children;
- **Child Protection Mediation** uses mediation to help families reach early resolution of child protection disputes;
- **Family Justice Dispute Resolution** assists families undergoing separation and divorce with issues related to child custody, access, guardianship and child or spousal support;
- **Maintenance Enforcement and Locate Services** facilitates full payment of child and spousal maintenance by monitoring and enforcing maintenance orders and agreements.

The branch also promotes innovative policies, practices and procedures for more than 30 quasi-judicial tribunals that deliver administrative justice. Tribunals are used by thousands of people every year to resolve disputes such as residential/tenancy disagreements or human rights complaints.

In addition, the branch provides funding to volunteer boards that operate justice programs. These include the British Columbia Mediator Roster Society, which maintains a roster of civil and family mediators who are available to the public, litigants, lawyers and judges, and the British Columbia Dispute Resolution Practicum Society, which offers free mediation services to Small Claims Court litigants. Funding is also given to the Law Courts Education Society and the Public Legal Education Society (People's Law School) to provide public legal education.

Justice Services Branch works with the Ministry of Children and Family Development and the Legal Services Society to expand the use of child protection mediation initiatives across the province, and with the Ministry of Aboriginal Relations and Reconciliation to introduce dispute resolution provisions for use in Agreements-in-Principle and Final Agreements. The Branch participates in the British Columbia Justice Review Task Force — which also includes the Law Society of BC, the Canadian Bar Association, and the judiciary — to identify potential civil and family justice reforms.

Multiculturalism and Immigration

The Multiculturalism and Immigration Branch funds programs and services that support newcomers, multiculturalism and anti-racism. The branch also supports development of provincial immigration policy.

Multiculturalism and Immigration programs include:

- **BC Settlement and Adaptation** funds third parties to provide basic adult English language instruction and other settlement service supports to new immigrants;
- **BC Anti-Racism and Multiculturalism** funds third-party initiatives designed to increase understanding of multiculturalism, and prevent and eliminate racism;
- **Critical Incident Response Model,** a three-year, three-step process, assists B.C. communities to develop local responses to racism and hate activity;
- support for the work of the **Multicultural Advisory Council,** which is composed of people appointed to advise the Minister Responsible for Multiculturalism on issues related to multiculturalism and anti-racism; and
- management of the implementation of the **Agreement for Canada – British Columbia Cooperation on Immigration** and direct negotiation of issues related to the Agreement and other Memoranda of Understanding related to immigration matters.

Executive and Support Services

Executive and Support Services contributes to all ministry goals and consists of the Attorney General's Office, the Deputy Attorney General's office, and the offices below. This core business area also includes the Office for Children and Youth, the BC Review Board, and the BC Human Rights Tribunal as they are funded by, and report to, the Attorney General.

Management Services Branch provides corporate financial and administrative services, information technology, strategic human resources and facilities services to the Ministry of Attorney General as well as to the Ministry of Public Safety and Solicitor General, and the Ministry of Aboriginal Relations and Reconciliation.

Criminal Justice Reform Office (CJRO) leads criminal justice reform and develops innovative solutions to criminal justice challenges. CJRO reports to the Deputy Attorney General with ties to the Ministry of Public Safety and Solicitor General, and maintains working relationships with criminal justice system participants and with its counterparts in other jurisdictions.

Strategic Planning and Legislation Office (SPL) leads ministry strategic planning and related corporate initiatives. SPL also provides policy advice in areas such as human rights, personal planning instruments, the provincial electoral system, judicial compensation, and the legislative frameworks governing the legal profession, notaries, and independent agencies, boards and commissions reporting to the Attorney General.

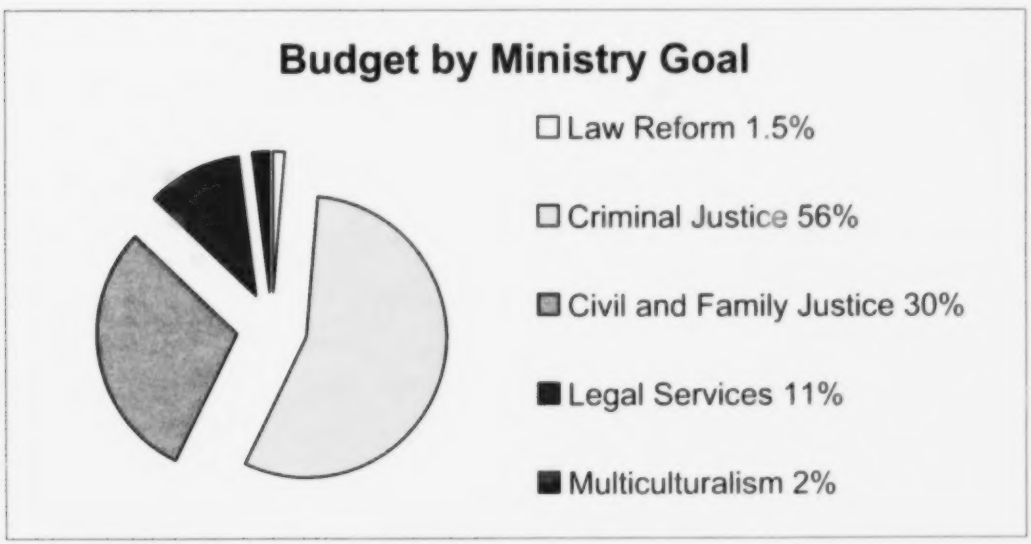
Resource Summary

Core Business Area	2005/06 Restated Estimates	2006/07 Estimates	2007/08 Plan	2008/09 Plan
Operating Expenses ($000's)				
Court Services	133,608	125,230	125,611	124,278
Legal Services	13,382	14,703	14,657	14,657
Prosecution Services	82,659	92,810	93,554	93,018
Justice Services	92,681	94,757	96,462	96,144
Multiculturalism and Immigration	7,028	7,073	7,793	7,789
Executive and Support Services	41,243	42,451	42,857	42,999
Judiciary	52,327	60,722	61,542	61,329
Crown Proceeding Act	27,500	27,500	27,500	27,500
BC Utilities Commission	1	1	1	1
Special Account (Public Guardian and Trustee)	10,406	10,453	10,453	10,453
Total	**460,835**	**475,700**	**480,430**	**478,168**
Full-time Equivalents (Direct FTEs)				
Direct FTEs	3,447	3,454	3,478	3,466
Total	**3,447**	**3,454**	**3,478**	**3,466**
Ministry Capital Expenditures (Consolidated Revenue Fund) ($000's)				
CRF Capital Categories				
Court Services	9,022	7,554	4,588	3,943
Legal Services	298	298	298	298
Prosecution Services	1,200	1,229	730	730
Justice Services	510	1,090	680	150
Multiculturalism and Immigration	1,250	1,025	1,015	510
Executive and Support Services	1,137	815	815	815
Judiciary	2,236	1,363	831	1,299
Crown Proceeding Act	—	—	—	—
BC Utilities Commission	12	12	12	12
Special Account (Public Guardian and Trustee)	794	1,024	1,024	784
Total	**16,459**	**14,410**	**9,993**	**8,541**

Core Business Area	2005/06 Restated Estimates	2006/07 Estimates	2007/08 Plan	2008/09 Plan
Consolidated Capital Plan Expenditures (CCP) ($000's)				
Project Type				
Ongoing projects	—	—	—	—
Refurbishment	3,340	—	—	—
Total	**3,340**	**0**	**0**	**0**
Other Financing Transactions ($000's)				
Executive and Support Services				
Receipts	700	950	1,000	1,000
Disbursements	(700)	(950)	(1,000)	(1,000)
Total	**0**	**0**	**0**	**0**

Estimated 2006/07 Expenditures by Ministry Goal

The diagram below shows an approximation of how the ministry's 2006/07 budget is allocated to ministry goals. A specific ministry goal often requires resources from more than one core business area, and therefore, expenditure breakdown is an estimate.



*Note: the percentages above do not add up to 100 due to rounding

Goals, Objectives, Strategies and Results

Overview of Ministry Goals

Justice System Goals

- A ministry that is a leader in law reform and innovative justice processes
- An effective criminal justice system
- Effective civil and family justice systems
- Effective legal services enabling government to administer public affairs in accordance with the law

Multiculturalism and Immigration Goal

- Effective immigrant settlement and adaptation services, and multiculturalism and anti-racism initiatives

Linkage to the Five Great Goals

Government's Five Great Goals for the Golden Decade

1. Make British Columbia the best educated, most literate jurisdiction on the continent.
2. Lead the way in North America in healthy living and physical fitness.
3. Build the best system of support in Canada for persons with disabilities, those with special needs, children at risk and seniors.
4. Lead the world in sustainable environmental management, with the best air and water quality, and the best fisheries management, bar none.
5. Create more jobs per capita than anywhere else in Canada.

The justice system is a vital component of a democratic society. An effective justice system based on the rule of law provides a solid foundation to help sustain and foster social stability and economic growth. Healthy business and personal relationships, based on fairness and equality, are reinforced when everyone in the community has confidence that their relationships with others — including government — are supported by a legal system that is just. This requires a system that is fair, timely, secure and accessible. It requires a system that is reliable and consistently enforces the civil and criminal law and supports public safety.

The Ministry of Attorney General's role is to support and strengthen this essential foundation so that government's vision for a prosperous and just province can be realized and so that

all Five Great Goals can be achieved. The ministry's goals, objectives and strategies reflect this role.

In addition, the ministry contributes specifically to Great Goals 1, 3 and 5, as shown in the examples below.

Great Goal 1:

- Adult English language training to help immigrants participate in social and economic opportunities.

Great Goal 3:

- **Human Rights:** The direct access model, which removed the commission as gatekeeper and allows direct access to the Human Rights Tribunal, has improved the province's human rights system. The ministry funds the Human Rights Clinic to provide assistance to eligible complainants and respondents.
- **Personal Planning and Adult Guardianship:** The ministry is consulting on proposals for personal planning instruments and on modern adult guardianship.
- **Integrated Criminal Justice Strategy:** The ministry is working with the justice sector to develop a strategy that encourages components of the justice system to work more closely together and with the community.
- **Children's Agenda:** Ministry strategies to support the Children's Agenda are discussed below under cross ministry initiatives.

Great Goal 5:

- Multiculturalism and anti-racism public education initiatives to raise awareness, support diversity, and maximize the social and economic benefits of immigration.

Cross Ministry Initiatives

Ministry strategies support the following cross ministry initiatives.

Children's Agenda:

- *Family Maintenance Enforcement Program:* Collects and distributes over $125 million annually in child maintenance payments. Assists families and reduces reliance on public income assistance.
- *Family Justice Services:* Counsellors assist families undergoing separation and divorce with a wide array of services to ensure better outcomes for children.
- *Child Protection Mediation Program:* In conjunction with Ministry of Children and Family Development, provides mediation services in child protection cases under the *Child,*

Family and Community Service Act. Mediation allows quicker settlement of issues and children involved spending less time in care, with resulting savings.

- *The Public Guardian and Trustee and the Child and Youth Officer:* These two independent agencies directly support the Children's Agenda and report to the Attorney General.
- *Bill C-2: Vulnerable Witness Provisions:* Will permit testimony from vulnerable witnesses — children in particular — to be given in a safe situation such as via videoconferencing.

A New Relationship with First Nations:

- The ministry is working with Ministry of Aboriginal Relations and Reconciliation to define legislation and operational procedures to meet honour of the Crown requirements.

Crystal Meth:

- Ministry leads the federal/provincial/territorial component of this initiative — specifically, a review of crystal meth use, production and trafficking.

ActNow, Asia-Pacific Strategy, Literacy and 2010 Olympic and Paralympic Winter Games: The following ministry strategies support all four cross ministry initiatives.

- Settlement services and language training for immigrants.
- Lead a coordinated cross-government approach to cultural diversity and immigration issues in the province. Involves the Ministries of Advanced Education, Education, Economic Development, Employment and Income Assistance, Finance and Attorney General as well as Intergovernmental Relations.
- A multiculturalism theme for the 2010 Olympic and Paralympic Winter Games (with the Multicultural Advisory Council and the Ministry of Economic Development).

Performance Plan: Justice System

Justice System Key Outcome Indicator

Public safety and an effective justice system are key priorities for government, and, as discussed earlier, are necessary for social stability and economic prosperity. The ministry is developing a comprehensive performance measurement system and has determined that public confidence in the justice system is a key indicator of an effective justice system.

The key outcome indicator below supports all four justice system goals. It is reported every five years by Statistics Canada as part of a general social survey on the activities and perceptions of Canadians. In 2008, Statistics Canada will report new provincial results from the next general social survey.

The ministry will conduct an annual survey on public confidence in the justice system and the survey results will be compared with Statistics Canada data.

Key Indicator	Baseline	2006/07 Target	2007/08 Target	2008/09 Target
Percentage of British Columbians who have a great deal or quite a lot of confidence in the justice system	50.2%*	Maintain or improve baseline	Maintain or improve baseline	Maintain or improve baseline

*Data Source: Statistics Canada, General Social Survey on Social Engagement (GSS), Cycle 17, 2003.

Goal 1: *A ministry that is a leader in law reform and innovative justice processes*

The ministry will be a centre for law reform and innovative justice policies, practices and processes. The ministry will be strategic and forward-thinking and will foster dialogue and collaboration throughout the broader justice sector. The ministry will influence, stimulate, coordinate and implement reform and innovation within the province.

The law has a profound practical effect on the legal rights, duties and liabilities of individuals and organizations in our society. Law and justice processes must keep pace with contemporary society. The ministry has a lead role in the debate and development of law that is just, principled, easy to understand and serves the public interest. The ministry also leads development of innovative justice processes that are current, fair, simple and cost-effective.

Core Business Areas: All

Objective 1.1: *Ministry as a centre for promoting law reform*

Law reform is a ministry priority. By engaging in strategies that promote and support law reform, the ministry assumes a central role in modernizing laws and justice procedures within the province. For example, the ministry is a key participant in, and provides resources to support, the B.C. Justice Review Task Force. The Task Force is recommending reforms through the Street Crime Working Group, the Family Justice Reform Working Group, the Civil Justice Reform Working Group and the Mega Trials Working Group.

Objective 1.2: *Innovation in civil, criminal and administrative justice procedures*

The ministry is committed to continuous improvement of civil, criminal and administrative justice processes. The ministry continually works with justice participants to develop new and improved procedures inside and outside the courtroom to increase the effectiveness of the justice system.

Objective 1.3: *Ministry is innovative in providing legal services*

Innovative legal services to government, including the use of alternatives to litigation for resolving disputes, support the ministry as a leader in reform. Government and the public benefit from increased efficiencies resulting from technological and administrative innovations in the delivery of legal services.

Strategies

1. Evaluate the current justice system and research new knowledge on:
   - how to make the justice system more responsive;
   - how to provide better access to justice;
   - how to improve court processes;
   - how to reform current laws and legislation;
   - how to apply technology to the justice system; and
   - how to make the justice system more efficient;

and then using those evaluations and applying that knowledge to suggest new and improved laws, legal processes and justice services for the public.

Performance Measures and Targets

The ministry has not established specific performance measures for this goal. The implementation of the strategies of this goal will result in the improvement, modernization and reform of the law and justice processes. In addition to the public confidence measure that is the key outcome indicator for the justice system, the performance measures established in goals 2, 3 and 4 will be key indicators of the success of this goal.

Intermediate Outcomes	Long-term Outcomes
The law is relevant, understandable, modern and fair.	The public is confident that the law and justice processes are responsive to public demands and societal needs.
The ministry is an influential leader in law reform and justice matters at the provincial and federal levels.	Ministry goals 2, 3, and 4 are accomplished.
The ministry provides, and is recognized as, an avenue for addressing law and justice concerns.	

Goal 2: *An effective criminal justice system*

The criminal justice system must be — and must be seen to be — fair, impartial and just. It must be responsive and reliable and operate with appropriate speed. The public must understand the system and have confidence that it is effective.

The criminal justice sector comprises several separate independent, yet interdependent, organizations. Components include Prosecution Services, Court Services, Legal Aid, Corrections, Police Services and the Judiciary. The system must be responsive and reliable. It must operate in a principled manner that serves the public interest. As a key participant, the ministry strives for process that ensures the administration of justice is fair, impartial and just.

An effective criminal justice system requires and builds public confidence. The system must safeguard the rights of the accused and, at the same time, deliver justice on behalf of victims, accused and communities. This requires that the system operates with appropriate speed, is secure and efficient, and is understood by the public.

Core Business Areas: ***Prosecution Services; Court Services, Justice Services, Executive and Support Services***

Objective 2.1: *Fair, impartial and just criminal prosecutions and appeals*

This objective reflects the importance of fair process and balanced consideration of the interests of the victim, the accused, the witnesses, the families and the public. In determining whether cases should proceed to court, Crown counsel assess all charges reported to them using two criteria: first, whether there is a substantial likelihood of conviction, and second, whether a prosecution would be in the public interest.

Consistent and rigorous application of these standards contributes to the overall effectiveness of the criminal justice system. Careful charge assessments also remove a substantial percentage (17 percent) of accused persons from the court process where appropriate. Four percent out of the 17 percent are directed to Alternative Measures.[2] This ensures that court and Crown resources are used for cases that warrant full prosecutions.

Objective 2.2: *Criminal prosecutions and appeals processed with appropriate speed*

Criminal matters must be processed within a reasonable period of time or charges against the accused may be dismissed. Timeliness enhances public confidence in the justice process, minimizes distress and disruption for victims and the accused and their families, and leads to efficient use of court and Crown resources. For example, in most cases, Crown counsel conduct pre-charge screening and provide full disclosure documents and an initial sentencing position to the accused or counsel prior to the first appearance.

Objective 2.3: *Safe and secure criminal justice programs and services*

The safety and security of all persons who attend or preside in court are critical to an effective criminal justice system serving the public interest. The ministry provides an integrated threat assessment and risk management program that works in cooperation with law enforcement agencies; sets operational security policies for courthouse security screening and use of force; establishes courthouse security design standards; provides training for court security staff; and promotes the use of technology and modern safety equipment.

Objective 2.4: *Reliable criminal justice services*

Participants in the criminal justice system must be able to rely on events happening on the dates that the system sets. An effective and efficient system will ensure that the public can be certain that processes will take place when they are scheduled.

[2] The Alternative Measures Program diverts low-risk offenders from the traditional court system to a process that allows more personal restitution to victims and communities.

Objective 2.5: *Public understanding of the criminal justice system*

Public confidence in the justice system is about perceptions of the system — which may or may not be based on factual information, knowledge of the system or experience in the system. Public understanding influences the level of citizen engagement in the system and therefore contributes to the effectiveness of the system.

Strategies

1. Operate the criminal justice system fairly and efficiently and with appropriate speed.
2. Integrate, where appropriate, the work of criminal justice system participants, including sharing information about all parts of the system, in order to improve system operation and decision-making.
3. Evaluate the performance of the criminal justice system, internally and from the perspective of the public.
4. Determine the feasibility of criminal justice reform and innovation suggestions and implement those reforms that are supported.
5. Apply technology to streamlined and effective criminal justice processes.
6. Inform the public about the criminal justice system.

Performance Measures and Targets

Measures for Goal 2 are related to the following outcomes.

Intermediate Outcomes	Long-term Outcomes
People have confidence that when they report a crime there will be action taken.	There is a lower per capita incidence of crime.
Crimes are reported to police.	There are fewer victims of crime per capita.
Crimes are investigated and solved.	There is a reduced fear of crime and an increased perception of safety.
People who have committed crimes are brought to justice.	The public is confident the criminal justice system operates fairly and with reasonable speed.
Trials are held with appropriate speed and decisions are reached without delay.	The public is confident that innocent people accused of a crime are absolved, and those who have committed crimes are found guilty.
Victims and witnesses are satisfied that their needs have been met.	The criminal justice system is recognized as a critical part of the foundation that sustains and fosters social stability and economic growth.

Performance Measures	Baseline	2006/07 Target	2007/08 Target	2008/09 Target
Percentage of all British Columbians 15 years and older who perceive that the criminal courts do a good job of:		Improve from baselines	Improve from baselines	Improve from baselines
• providing justice quickly	11%			
• helping the victim	16%			
• determining whether or not the accused is guilty	22%			
• ensuring a fair trial for the accused	43%			

Data Source: Statistics Canada, General Social Survey on Victimization (GSS), Cycle 18, 2004. These baseline results are specific to British Columbia. This measure is used by Statistics Canada to examine public perceptions of criminal courts across all provinces (but excluding the territories). The next Statistics Canada report on victimization is due in 2009.
The ministry will conduct surveys on public perceptions of the criminal justice system. Questions about the criminal courts will be based on this measure, ensuring that the language is consistent with that used by Statistics Canada so that results can be compared.

Performance Measures	2005/06 Actual/Base	2006/07 Target	2007/08 Target	2008/09 Target
Average time to disposition for:				
• traffic cases	186 days	186 days	177 days	168 days
• adult and youth criminal cases	170 days	170 days	162 days	154 days

Data Source: Court Services CORIN database. Time to disposition for traffic cases is based on the date the notice of dispute was filed and the date the dispute was concluded. Time to disposition for adult and youth cases is based on the date of the first appearance in court and the concluded date. Adult and youth cases exclude those where the primary charge is an administrative one, such as breach of a court order or failure to appear.

Goal 3: *Effective civil and family justice systems*

The civil and family justice systems must be — and must be seen to be — fair, impartial and just. They must be responsive, reliable, proportionate and cost-effective. The public must understand the civil and family justice systems and have confidence that they support the resolution of problems and disputes in a timely and effective manner.

The civil and family justice systems help private parties solve problems and resolve disputes. The civil justice system also includes administrative tribunals that provide alternatives to court to resolve disputes between private parties and between individuals and government.

Effective civil and family justice systems are accessible, understood by the public and promote public confidence. This requires a range of dispute resolution options where procedures and costs are proportionate to the nature of the issues involved.

The ministry's role in the civil and family justice systems includes providing effective court services including a safe environment; supporting access to justice; facilitating the development and use of problem-solving and dispute resolution options through processes that are most appropriate to the circumstances; and maximizing the performance of all components of the system.

Core Business Areas: *Justice Services, Court Services, Executive and Support Services*

Objective 3.1: *Accessible and efficient civil and family court processes*

Timely, accessible and efficient civil and family court processes are necessary for the court to be an effective option for parties in dispute. Public confidence is eroded if the process becomes too costly, cumbersome or bureaucratic.

Objective 3.2: *Accessible civil and family justice services as alternatives to court*

Effective civil and family justice systems must offer a range of alternatives to the traditional court system to support parties in resolving their disputes. Services must be accessible and affordable to parties who require them.

Objective 3.3: *Safe and secure environment for resolving civil and family disputes*

The safety and security of individuals and families using the justice system are paramount to ensure willingness to utilize the full range of dispute resolution mechanisms. Voluntary participation in available options supports an effective system.

Objective 3.4: *Public understanding of the civil and family justice systems*

Knowledge of the civil and family justice systems can lead to greater utilization and access to the system. It also relates to public confidence in the system. Public understanding influences the level of citizen engagement in the justice system and therefore contributes to its overall effectiveness.

Strategies

1. Operate the civil and family justice systems fairly and efficiently.
2. Improve access to justice by:
   - simplifying and streamlining justice processes;
   - using and fostering a problem-solving approach to matters that engage the civil and family justice systems; and
   - providing to the public effective sources of information about law, legal processes and justice services.
3. Evaluate the performance of the civil and family justice systems internally and from the perspective of the public.
4. Determine the feasibility of civil and family justice reform and innovation suggestions and implement those reforms that are supported.
5. Apply technology to streamlined and effective civil and family justice processes.

Performance Measures and Targets

Measures for Goal 3 are related to the following outcomes.

Intermediate Outcomes

A wide range of in-court and out-of-court options is available for resolving problems and disputes.

People use, and are satisfied with, the range of options available for resolving problems and disputes.

People get resolutions that are proportionate to their means and needs.

Justice decisions that affect children are not delayed, and action is taken with appropriate speed.

People are satisfied with, and abide by, the results obtained through the options they chose.

The use of out-of-court options for resolving disputes increases.

Long-term Outcomes

The public is confident that the civil and family justice systems deliver fair resolutions with reasonable speed.

The rights of all parties in dispute are respected and enforced.

People rely on the civil and family justice systems and avoid illegal remedies.

The civil justice system is recognized as a critical part of the foundation that sustains and fosters social stability and economic growth.

Family conflict decreases, and children in families where conflict has occurred are better adjusted.

Children are able to adjust following a marriage breakdown or divorce.

Following a divorce, the relationships between parents and children are positive and constructive.

Children's and spousal rights are respected and enforced.

Fewer police, health care, social support and education system resources are required to respond to the consequences of family breakdown.

Family conflicts reach early, positive resolutions and contribute to stability in the business and employment sectors.

Performance Measure	2005/06 Actual/Base	2006/07 Target	2007/08 Target	2008/09 Target
Average rate of client satisfaction with child protection mediation on a 5-point scale where 5 is very satisfied	3	3	3	>3
Average rate of client satisfaction with small claims mediation on a 5-point scale where 5 is very satisfied	4	>4	>4	>4
User satisfaction promotes increased use of innovative dispute resolution alternatives to court. The ministry collects satisfaction data through client exit surveys that are completed after resolution. A public confidence measure similar to the public perception measure for Goal 2 will be established for the civil and family justice systems. Until this measure is available, the two satisfaction measures above will be used.				

Performance Measure	2005/06 Actual/Base	2006/07 Target	2007/08 Target	2008/09 Target
Small claims settlement rate	>52%	>52%	>52%	>52%
This measure tracks the proportion of disputes that reach settlement following a referral to the Court Mediation Program. Settled cases are defined as those that are resolved at mediation plus those that are settled after referral, but before the mediation actually begins. The latter type of case is included based on the assumption that referral to mediation stimulates the private settlement process.				

Performance Measure	2005/06 Actual/Base	2006/07 Target	2007/08 Target	2008/09 Target
Average time to disposition for:				
• small claims settlement conferences from case initiation	186 days	186 days	176 days	167 days
• small claims actions	303 days	303 days	288 days	273 days
• child protection hearings	18 days	18 days	17 days	17 days
• family hearings	113 days	113 days	107 days	102 days
This four-part measure informs both the civil and family justice systems. The first two parts include only those cases entered onto the Courts Electronic Information System (CEIS), which allows time-specific information to be tracked. "Small claims settlement conferences" is the average time between case initiation and the first conference appearance where a result is recorded. "Small claims action" is the average time between case initiation and the first trial appearance where a result is recorded. "Child protection hearings" is the average time between the date on which the parties first agreed to a hearing or a trial date and the first hearing or trial date where a result is recorded. "Family hearings" is the average time between the date on which the parties first agreed to a hearing or a trial date and the first hearing or trial date where a result is recorded.				

Performance Measure	2005/06 Actual/Base	2006/07 Target	2007/08 Target	2008/09 Target
Proportion of provincial population residing within one hour of travel time to court	98%	98%	98%	98%
This measure was derived from 2001 population figures based on provincial policing jurisdictions. It includes municipal, rural, and First Nations reserve populations. Information sources used to develop this measure include: B.C. Statistics, Police Services Division of the Ministry of Public Safety and Solicitor General, and MapQuest website services.				

Goal 4: *Effective legal services enabling government to administer public affairs in accordance with the law*

> ***Government must receive high-quality legal advice that contributes to the effective achievement of government goals and priorities. Government must understand, anticipate and manage legal matters and risks in the public interest.***

This goal supports the Attorney General's unique role in government to see that public affairs are administered in accordance with the law. High-quality legal advice and representation help ensure that government services are delivered effectively.

Core Business Areas: *Legal Services, Executive and Support Services*

Objective 4.1: *High-quality, cost-effective legal services to government*

This objective supports the administration of public affairs in accordance with the law and ensures that government is effectively represented before tribunals and the courts. The ministry's Legal Services Branch has made significant progress in reconciling and balancing costs with government requirements for legal advice.

Objective 4.2: *Legal risks and issues managed proactively and strategically*

This objective reflects the importance of anticipating, reducing and managing legal risk as part of the stewardship and sound management of public resources.

Strategies

1. Attract, retain and support high quality lawyers within the public service.
2. Evaluate the cost of the legal services against the benchmark of comparable private sector lawyers.
3. Where appropriate, develop innovative approaches to providing legal services through alternate dispute resolution, technology and best practices.
4. Evaluate and implement appropriate processes to manage government legal issues and risks effectively and in the public interest.

Performance Measure and Target

The measure for Goal 4 is related to the following outcomes.

Intermediate Outcomes	Long-term Outcomes
Government administers public affairs according to the rule of law.	The public is confident that government administers its affairs according to the rule of law.
Legal services to government are delivered efficiently and effectively.	The public is confident that government defends the public interest in a principled manner.
Government mitigates its legal risks and avoids unnecessary litigation.	By administering its affairs according to the rule of law, government fosters and sustains social stability and strong economic growth

Performance Measure	2005/06 Actual/Base	2006/07 Target	2007/08 Target	2008/09 Target
Percentage of clients satisfied with: • timeliness of services • quality and consistency of services	Survey results for 2003/04 showed 85% of clients satisfied with timeliness and quality of services	87%	89%	92%
The Legal Services Branch delivers legal services to government on the basis of service level agreements with each ministry and agency. These agreements set out the services that are to be delivered, and they require that a ministry or agency provide funding to Legal Services Branch to cover its costs of providing most of these services. The service level agreement process is to be reviewed in 2006. Following that review, Legal Services Branch will conduct another client satisfaction survey.				

Performance Plan: Multiculturalism and Immigration

Goal: *Effective immigrant settlement and adaptation services, and multiculturalism and anti-racism initiatives*

> ***The ministry will work collaboratively and strategically to provide leadership and develop new partnerships to challenge racism, promote the many benefits cultural diversity brings to all B.C. communities, and advance the development of multiculturalism, settlement and immigration policies, programs and services.***

Immigration continues to play an important role in the province's social and economic development, and it has created a dynamic, open and diverse society that has enriched the social and cultural fabric of B.C. Through leadership, partnerships, strategic influences, and program development and delivery, the ministry coordinates activities to meet the province's interests in multiculturalism, anti-racism, settlement and immigration.

Core Business Area: *Multiculturalism and Immigration*

Objective: *Improved settlement and socio-economic outcomes for immigrants*

Enabling and expediting the settlement of immigrants directly benefits immigrants and their local communities. The branch will build community capacity to support new immigrants and refugees through language training, settlement and adaptation services.

Strategies:

1. Promote the social and economic advantages of cultural diversity.
2. Accelerate the adaptation of immigrants to the social, cultural and political life of their communities.
3. Enhance and expand leadership on immigration and multiculturalism policy, and settlement services for B.C.

Multiculturalism and Immigration programs include:

- **BC Settlement and Adaptation** funds third parties to provide basic adult English language instruction and other settlement service supports to new immigrants;
- **BC Anti-Racism and Multiculturalism** funds third-party initiatives designed to increase understanding of multiculturalism, and prevent and eliminate racism;

- **Critical Incident Response Model**, a three-year, three-step process, assists B.C. communities to develop local responses to racism and hate activity;
- support for the work of the **Multicultural Advisory Council**, which is composed of people appointed to advise the Minister Responsible for Multiculturalism on issues related to multiculturalism and anti-racism; and
- management of the implementation of the **Agreement for Canada – British Columbia Cooperation on Immigration** and direct negotiation of issues related to the Agreement and other Memoranda of Understanding related to immigration matters.

Performance Measures and Targets

Measures for the multiculturalism and immigration goal are related to the following outcomes.

Intermediate Outcomes	Long-term Outcomes
Immigrants are adjusted to life in Canada.	Immigrants achieve their full potential.
Immigrants are able to use English in their daily lives.	Immigrants identify with and enrich Canadian culture.
The public understands the benefits of cultural diversity.	Communities welcome and support people from diverse cultural backgrounds.
Anti-racism awareness is increased in B.C.	Racism is eliminated.
Communities have the capacity to address racism and hate.	The economic and social benefits of immigration and cultural diversity are realized provincewide.

Performance Measure	2005/06 Actual/Base	2006/07 Target	2007/08 Target	2008/09 Target
Percentage of recent immigrants in language training who report greater ability to use English	76%	76%	78%	78%
The ability to speak, read and write the language(s) of the adopted country assists settlement and allows new immigrants to access the amenities and services that are available in the communities where they are residing. Facility in the English language can also help immigrants make the best use of education and employment opportunities. * Note: An extensive survey is conducted bi-annually. The next survey will be conducted in 2007/08.				

Performance Measure	2005/06 Actual/Base	2006/07 Target	2007/08 Target	2008/09 Target
Number of communities that have participated in the Critical Incident Response Model (CIRM) program	22	26	30	34
The provincial Critical Incident Response Model assists communities throughout B.C. to develop community-led responses to racism and hate activity. This measure is related to the level of community commitment toward the promotion of anti-racism and multiculturalism.				

Ministry Performance Plan Summary

Five Great Goals

Justice System Mission
The Ministry of Attorney General is responsible in government for law reform, for the administration of justice, and for seeing that public affairs are administered in accordance with the law.

Justice System Key Outcome Indicator
(supports all four justice system goals)
Percentage of British Columbians who have a great deal or quite a lot of confidence in the justice system.

An effective and trusted justice system is an essential part of the foundation necessary to achieving all Five Great Goals.

Justice System Goals	Objectives	Performance Measures
A ministry that is a leader in law reform and innovative justice processes	Ministry a centre for promoting law reform Innovation in civil, criminal and administrative justice procedures Ministry innovative in providing legal services	The ministry has not established specific performance measures for this goal. The implementation of the strategies for this goal will result in the improvement, modernization and reform of the law and justice processes. In addition to the public confidence measure that is the key outcome indicator for the justice system, the performance measures established in goals 2, 3 and 4 will be key indicators of the success of this goal.
An effective criminal justice system	Fair, impartial and just criminal prosecutions and appeals Criminal prosecutions and appeals processed with appropriate speed Safe and secure criminal justice programs and services Reliable criminal justice services Public understanding of the criminal justice system	Percentage of all British Columbians 15 years and older who perceive that the criminal courts do a good job of: • providing justice quickly • helping the victim • determining whether or not the accused is guilty • ensuring a fair trial for the accused Average time to disposition for: • traffic cases • adult and youth criminal cases

Five Great Goals	Justice System Mission		
	The Ministry of Attorney General is responsible in government for law reform, for the administration of justice, and for seeing that public affairs are administered in accordance with the law.		
	Justice System Goals	**Objectives**	**Performance Measures**
An effective and trusted justice system is an essential part of the foundation necessary to achieving all Five Great Goals.	Effective civil and family justice systems	Accessible and efficient civil and family court processes Accessible civil and family justice services as alternatives to court Safe and secure environment for resolving civil and family disputes	Average rate of client satisfaction with: • child protection mediation • small claims mediation [on a 5-point scale where 5 is very satisfied] Small claims settlement rate Average time to disposition for: • small claims settlement conferences from case initiation • small claims actions • child protection hearings • family hearings Proportion of provincial population residing within one hour of travel time to court
		Public understanding of the civil and family justice systems	
	Effective legal services enabling government to administer public affairs in accordance with the law	High-quality, cost-effective legal services to government	Percentage of clients satisfied with timeliness, quality and consistency of services
		Legal risks and issues managed proactively and strategically	

Five Great Goals	Multiculturalism and Immigration Mission		
	We are responsible in government to meet the settlement needs of immigrants and refugees, to promote multiculturalism and to eliminate racism.		
	Multiculturalism and Immigration Goal	**Objective**	**Performance Measures**
Goal 1: Make BC the best educated, most literate jurisdiction on the continent. Goal 5: Create more jobs per capita than anywhere else in Canada.	Effective immigrant settlement and adaptation services, and multiculturalism and anti-racism initiatives	Improved settlement and socio-economic outcomes for immigrants	Percentage of recent immigrants in language training who report greater ability to use English
			Number of communities that have participated in the Critical Incident Response Model (CIRM) program

Related Initiatives and Planning Processes

Deregulation and Regulatory Reform

The ministry will continue Government's Regulatory Reform commitment. It will be mindful of the principles underlying the shift toward citizen-centred, cost-effective, results-based, and responsive approaches as part of law and justice reform. This includes streamlining business processes.

Overview of the Information Resource Management Plan

An overview of the Information Resource Management Plan is available on the ministry website at: www.ag.gov.bc.ca/relatedinitiativesandplanningprocesses.